

201 KAR 41:060. Renewal and reinstatement procedures.

RELATES TO: KRS 164.772, 329A.045(1)-(3), (8), (11)

STATUTORY AUTHORITY: KRS 329A.025(2)(a), (3)(e)

NECESSITY, FUNCTION AND CONFORMITY: KRS 329A.025(3)(e) states that the board may renew licenses. KRS 329A.025(2)(a) requires the board to implement the provisions of KRS 329A.010 to 329A.090 through the promulgation of administrative regulations. This administrative regulation provides directions for the biennial renewal of these licenses.

Section 1. An individual private investigator license shall be renewed upon:

- (1) Payment of the biennial renewal fee established in 201 KAR 41:040, Section 4(1); and
- (2) Submission of a completed PI Individual License Renewal Form with the following written information to the board:
 - (a) Documentation of completion of continuing professional education requirements during the licensure renewal period established in 201 KAR 41:070;
 - (b) Written confirmation that, since the license was issued or renewed, the licensee has not:
 1. Been convicted of a felony;
 2. Had the license disciplined and is not currently under disciplinary review in Kentucky or another state; or
 3. Defaulted on the repayment obligation of financial aid programs administered by the Kentucky Higher Education Assistance Authority (KHEAA) per KRS 164.772 or on the repayment obligation of financial aid programs administered by any other state or federal agency; and
 - (c)1. Documentation of proof of continuous insurance coverage for the entire licensure period.
 2. Copies of the certificate of liability insurance shall be submitted along with the renewal application.

Section 2. A licensee convicted of a felony or disciplined in the interim period between issuance and renewal of the license, or between renewal periods, shall submit notice of conviction or discipline along with a written explanation to the board prior to license renewal.

Section 3. If payment and complete information are not received by the board on or before September 1 of the renewal year, the license shall terminate and the person shall not work as a private investigator in Kentucky.

Section 4. Company License Renewal. Private investigation companies who want to renew their licenses shall submit a completed PI Company License Renewal Form and comply with the provisions of KRS 329A.045(3).

Section 5. A terminated license shall be reinstated, if the applicant submits:

- (1) A completed Application for Reinstatement form within five (5) years of the termination date;
- (2)(a) Evidence of receiving twelve (12) hours of continuing education within the two (2) year period immediately preceding the date that reinstatement is requested; or
- (b)1. Evidence of receiving six (6) hours of continuing education within the first six (6) months of reinstatement of licensure.
2. Failure to obtain six (6) hours within six (6) months shall result in termination of licensure.
3. This requirement is in addition to the continuing education requirements for licensure renewal established in 201 KAR 41:070; and

(3) Payment of renewal and reinstatement fees set forth in 201 KAR 41:040.

Section 6. A license previously revoked as a disciplinary action shall be considered for reinstatement as follows:

(1) An applicant for reinstatement shall:

(a) Submit to the board fifteen (15) days prior to the next scheduled meeting, a letter:

1. Requesting reinstatement; and

2. Specifying the manner in which the applicant for reinstatement has complied with the terms of a disciplinary order of the board, if applicable;

(b) Meet the requirements established in Section 5(2) of this administrative regulation; and

(c) Pay of renewal and reinstatement fees as established in 201 KAR 41:040.

(2) Upon receipt of an Application for Reinstatement, the board shall:

(a) Review the request for reinstatement and the Final Order; and

(b) Affirm or deny the request; or

(c) State in writing the corrective or remedial education, training, or review required before reinstatement shall be granted.

(3) The board shall not consider a request for reinstatement submitted to the board prior to the end of a revocation period.

Section 7. (1) An applicant whose request for reinstatement is denied may file a written request for a hearing before the board within thirty (30) days of the letter denying reinstatement.

(2) A hearing held pursuant to the provisions of this section shall be conducted in accordance with KRS Chapter 13B.

Section 8. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "PI Company License Renewal Form", 2008 Edition;

(b) "PI Individual License Renewal Form", 2008 Edition; and

(c) "Application for Reinstatement", 2008 Edition.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Kentucky Board of Licensure for Private Investigators, 911 Leawood Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (32 Ky.R. 2389; 33 Ky.R. 727; eff. 10-6-2006; 35 Ky.R. 624; 1444; eff. 1-5-2009.)